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Patent Attorney's Docket No. 028723-061

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING  
CONTINUATION/DIVISIONAL APPLICATION UNDER 37 C.F.R. § 1.60

Box PATENT APPLICATION  
Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

This is a request for filing a [ ] continuation [X] divisional application under 37 C.F.R. § 1.60 of pending Application No. 08/312,914 filed on September 30, 1994, for CHROMOSOME-SPECIFIC STAINING TO DETECT GENETIC REARRANGEMENTS, by the following named inventor(s):

- (a) Full Name Joe W. Gray  
(b) Full Name Daniel Pinkel  
(c) Full Name Olli-Pekka Kallioniemi  
(d) Full Name Anne Kallioniemi  
(e) Full Name Masaru Sakamoto

[ ] This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.60(b), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application.

- (a) Full Name \_\_\_\_\_  
(b) Full Name \_\_\_\_\_  
(c) Full Name \_\_\_\_\_

1. [X] Enclosed is a copy of the latest inventor-signed prior application, including copies of the specification, claims, drawings and the executed oath or declaration as originally filed, and I hereby verify that the attached papers are a true copy of the latest inventor-signed prior Application No. 07/670,242 as originally filed on March 15, 1991. Further, I declare that all statements made herein of my own knowledge are true; that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false

statements may jeopardize the validity of the application or any patent issuing thereon.

2. ☐ \_\_\_\_\_ verified statement(s) claiming small entity status ☐ are enclosed  
☐ were filed in prior Application No. \_\_, filed on \_\_.
3. ☒ The filing fee is calculated below ☐ and in accordance with the enclosed preliminary amendment:

C L A I M S					
	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					\$ 730.00
Total Claims	1	MINUS 20 =	0	x \$22 =	
Independent Claims	1	MINUS 3 =	0	x \$76 =	
If multiple dependent claims are presented, add \$240.00					
Total Application Fee					730.00
If small entity status is claimed, subtract 50% of Total Application Fee					
Add Assignment Recording Fee of \$40.00 if Assignment document is enclosed					
<b>TOTAL APPLICATION FEE DUE</b>					<b>\$730.00</b>

4. ☐ Charge \$\_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
5. ☒ A check in the amount of \$ 730.00 is enclosed for the fee due.
6. The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in triplicate.
7. ☒ Cancel in this application original claims 2-47 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

8. ☒ Amend the specification by inserting before the first line the sentence: This application is a ☐ continuation, ☒ divisional, of Application No. 08/312,914, filed September 30, 1994, which is a continuation of Application No. 08/137,745, filed October 19, 1993, now abandoned, which is a continuation of Application No. 08/015,390, filed February 8, 1993, now abandoned, which is a continuation of Application No. 07/670,242, filed March 15, 1991, now abandoned, which is a continuation-in-part of Application No. 07/659,974, filed February 22, 1991, now abandoned, which is a continuation-in-part of Application No. 07/537,305, filed June 12, 1990, which is a continuation-in-part of Application No. 07/497,098, filed March 20, 1990, now abandoned, which is a continuation of Application No. 07/444,669, filed December 1, 1989, now abandoned, which is a continuation of Application No. 07/382,094, filed July 19, 1989, now abandoned, which is a continuation-in-part of Application No. 06/937,793, filed December 4, 1986, now abandoned, which is a continuation-in-part of Application No. 06/819,314, filed January 16, 1986, now abandoned.

9. ☐ Transfer the drawings from the pending prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate of this paper is enclosed for filing in the prior application file. (May only be used if signed by person authorized under 37 C.F.R. § 1.138 and before payment of issue fee.)

10. ☐ New drawings are enclosed.

11. ☐ Priority of Application No. \_\_\_ filed on \_\_\_ in \_\_\_ (country) is claimed under 35 U.S.C. § 119.

☐ The certified copy of the priority application ☐ is enclosed ☐ was filed on \_\_\_ in prior Application No. \_\_\_, filed on \_\_\_ ☐ has not yet been filed.

12. ☒ The prior application is assigned of record to The Regents of the University of California.

13. ☐ A preliminary amendment is enclosed.

14. ☒ Also enclosed Letter to Examiner.

15. ☒ The power of attorney in the prior application is to Leona L. Lauder, Reg. No. 30,863 and R. Danny Huntington, Reg. No. 27,903.

a. ☐ The power appears in the original papers in the prior application.

b. ☒ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

- c. ☒ Recognize as Associate Attorney Donna M. Meuth, Reg. No. 36,607.
- d. ☒ Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

R. Danny Huntington  
Burns, Doane, Swecker & Mathis  
P.O. Box 1404  
Alexandria, Virginia 22313-1404

June 7, 1995  
Date

By: R. Danny Huntington  
R. Danny Huntington  
Registration No. 27,903

Address of  
signator:

Burns, Doane, Swecker & Mathis  
P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

☐ inventor(s)  
☐ assignee of complete interest  
☒ attorney or agent of record  
☐ filed under 37 C.F.R. § 1.34(a)



Patent  
Attorney's Docket No. 028723-061

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
	)	
Joe W. GRAY et al	)	Group Art Unit: Unassigned
	)	
Application No.: Unassigned	)	Examiner: Unassigned
(Div. of USSN 08/312,914)	)	
	)	
Filed: June 7, 1995	)	
	)	
For: CHROMOSOME-SPECIFIC	)	
STAINING TO DETECT	)	
GENETIC REARRANGEMENTS	)	

**LETTER TO EXAMINER**

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

Applicants are in the process of preparing a Preliminary Amendment in the above application which will be filed when completed. If the above application is reached for examination prior to receipt of the Preliminary Amendment, please contact

R. Danny Huntington at (703) 836-6620.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS

Date: June 7, 1995

By: R. Danny Huntington  
R. Danny Huntington  
Registration No. 27,903

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620